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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/687,892	10/13/2000	Phillip Koh-Kwe Hsu	4034-61	8983

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EXAMINER
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ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 08/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

		Application No.	Applicant(s)
Office Action Summary		09/687,892	HSU ET AL.
		Examiner	Art Unit	
		David R. Vincent	3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 January 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-21</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-21</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>1/8/01</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

Response to Arguments

1.   Applicant's arguments (filed 1/27/05) with respect to

claims 1-21 have been considered but are moot in view of the new

ground(s) of rejection.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs

of 35 U.S.C. 102 that form the basis for the rejections under

this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in a patent granted on an application for
> patent by another filed in the United States before the invention thereof
> by the applicant for patent, or on an international application by another
> who has fulfilled the requirements of paragraphs (1), (2), and (4) of
> section 371(c) of this title before the invention thereof by the applicant
> for patent.

The changes made to 35 U.S.C. 102(e) by the American

Inventors Protection Act of 1999 (AIPA) and the Intellectual

Property and High Technology Technical Amendments Act of 2002 do

not apply when the reference is a U.S. patent resulting directly

or indirectly from an international application filed before

November 29, 2000. Therefore, the prior art date of the

reference is determined under 35 U.S.C. 102(e) prior to the

amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

      Claims 1-21 are rejected under 35 U.S.C. 102(e) as being

anticipated by Reed (US 6,088,717).

Reed discloses:

1.   A computer system (Figs. 1, 8; col. 100, lines 58-67; col.

134, line 30-col. 136, line 41) for delivering at least one

financial message (email, Fig. 8; 842, Fig. 17; col. 19, lines

26-40; col. 1, lines 50-53; email notification, col. 6, lines

63-67; receipt of financial transaction, cols. 119-123.

especially **col. 122, lines 35-67**) to a client user (2, Fig. 1)

regarding financial activity (e.g., sales/price data, Figs. 23-

24; payment activity, col. 95, lines 58-65; car price data, col.

115, line 2-col. 116, line 62), the computer system comprising

at least one computing device comprising:

a registration system program configured to register a

client user and determine messages to be received by the client

user (Figs. 23-24; contact information, col. 1, lines 45-50;

logon, col. 4, lines 45-58; storing email addresses, col. 5,

lines 5-11; establish an account, col. 4, lines 54-58) ;

a message creation system program (Figs, 1, 8, 17; cols.

115-118, especially col. 117, lines 13-25) configured to monitor

financial activity (e.g., sales/price data, **Figs. 23-24**;

searching ads and then paging the potential buyer, **col. 115,**

line 2-col. 118, line 35; col. 122, lines 35-67), create

messages as requested by the client user regarding the activity

and deliver messages (Figs. 23-24; or col. 2, lines 2-5;

customer preferences, col. 4, lines 45-58; col. 5, lines 5-66);

and

an intervention system program configured to allow an

internal user (e.g., col. 7, lines 54-59; provider program used

to edit, col. 8, lines 65-67) of the system to at least one of

add to and edit content of a message to a client user prior to

delivery.

2. the registration system program includes a registration

interface module configured to create a client user preference

designation interface to determine the messages to be received

by the client user (Figs. 23-24; or col. 2, lines 2-5; consumer

editable, col. 20, lines 5-16; registering email addresses and

system IDs, col. 24, lines 25-65; paging the potential buyer

when preference met, col. 115, line 2-col. 116, line 62).

3. a program for providing a user message inbox for viewing a

client user message (using an email program, col. 27, lines 59-

67; Fig. 8; col. 6, lines 1-27; storing emails, col. 5, lines 5-

40; col. 90, lines 32-67).

4. wherein the system is accessible by the client

user from an online financial transaction forum (e.g., col. 7,

lines 2-12; cols. 119-123, especially col. 122, lines 35-67;

broadcasting, col. 136, lines 27-41).

5   further comprising an internal user interface system

program (col. 6, lines 1-27; col. 7, lines 54-59; col. 142,

lines 30-col. 144, line 33).

6   wherein the internal user interface system

program (provider program, Figs. 1, 5, 7, 21; col. 7, lines 54-

59) comprises a financial advisor interface module configured to

provide:

    an advisor client user preference designation interface for

designating client user preferences (Figs. 23-34),

    an advisor preference interface for designating advisor

message preferences (provider program, Figs. 1, 5, 7, or 21;

col. 7, lines 54-59); and

    an advisor message inbox for viewing client user or advisor

messages (provider/email program, Figs. 1, 5, 7, 21).

7   a program providing a client user searching mechanism

(e.g., Fig. 14; col. 32, lines 50-62; querying, col. 38, lines

4-20; col. 62, lines 1-30; col. 90, lines 32-67; searching ads

and then paging the potential buyer, col. 115, line 2-col. 116,

line 62);

8   a reporting system program for generating reports (col. 15,

lines 43-58; col. 29, lines 18-47; col. 31, lines 41-48; col.

90, lines 32-67; col. 93, line 40-col. 94, line 44);

9   a program for providing a user list edit interface which

prevents delivery of a message to the client user (Figs. 23-34;

filtering email, col. 27, lines 59-67; col. 28, lines 31-44; or

col. 142, lines 30-col. 144, line 33).

10   a program for providing a manager user message viewing

interface (provider program, Figs. 1, 5, 7, 21; col. 90, lines

32-67);

11   a program for providing a client service agent interface

including a message viewing interface (col. 6, lines 1-27; or

Fig. 8; email programs, Figs. 1, 5, 7, 21);

12   a program for providing a marketing interface including a

disclaimer interface (licensing rules, col. 95, lines 4-12), a

message type creating interface and a message template editing

interface (see, e.g., email program, Figs. 1, 5, 7, 21; col. 44-

61; col. 13, lines 46-50; col. 28, lines 1-16);

13   a market feed for supplying market data (the term market is

not further defined, reads on at least clothing market,

sales/price data, Figs. 23-24; inputting market data about e.g.,

prices of automobiles and then paging the potential buyer, col.

115, line 2-col. 118, line 35);

14   a security and authentication system program for

controlling access to and within the system (e.g., col. 26,

lines 18-41; Fig. 6A; col. 98, lines 9-47; col. 108, line 15-
col. 113, line 64);

15   a program for providing at least one of an on-line chat

system, a video conference system and a web casting system

(e.g., col. 7, lines 2-12; many-to-many, col. 2, lines 1-41);

16   the messages are deliverable via electronic mail,

facsimile, telephone, or wireless device (e.g., col. 44-61; col.

13, lines 46-50; col. 28, lines 1-16).

17   An internal user interface system for an internal user of a

financial message delivery system, the interface system

comprising:

    means for designating internal user message preferences

(e.g., col. 7, lines 54-59; provider program used to edit, col.

8, lines 65-67);

    means for designating client user message preferences

(searching ads and then paging the potential buyer, col. 115,

line 2-col. 116, line 62);

    means for viewing client user or internal user messages

(Figs. 1, 8; col. 100, lines 58-67);

    means for replying to client user messages (e.g., email

program, Figs. 1, 5, 7, 21; or col. 44-61; col. 13, lines 46-50;

col. 28, lines 1-16),

means for creating messages (email program, Figs. 1, 5, 7, 21), and

means for searching for messages for a client user (e.g., Fig. 14; col. 32, lines 50-62; querying, col. 38, lines 4-20; col. 62, lines 1-30; col. 90, lines 32-67; searching ads and then paging the potential buyer, col. 115, line 2-col. 116, line 62);

18   A computerized method for delivering a financial message to a client user in a financial communication system, comprising the steps of:

gathering client user message preferences from the client user (Figs. 23-24; or paging the potential buyer when criteria met, col. 115, line 2-col. 116, line 62);

creating a client user message in accordance with the client user message preferences (Figs. 23-24; col. 116, lines 52- 62; col. 44-61; col. 13, lines 46-50; col. 28, lines 1-16), and

providing a user interface allowing an internal user to add a personalized note to the client user message prior to delivery (col. 7, lines 54-59; email program, Figs. 1, 5, 7, 21; or col. 44-61; col. 13, lines 46-50; col. 28, lines 1-16);

19   the step of gathering client user message preferences comprises providing a user interface for an internal user

designation of the client user message preferences (Figs. 23-24;
or col. 2, lines 2-5; consumer editable, col. 20, lines 5-16;
registering email addresses and system IDs, col. 24, lines 25-
65; paging the potential buyer when preference met, col. 115,
line 2-col. 116, line 62);

20   the step of creating a client user message comprises the
steps of monitoring financial activity (e.g., sales/price data,
Figs. 23-24; payment activity, col. 95, lines 58-65; car price
data, col. 115, line 2-col. 116, line 62), and preparing a
client user message regarding the financial activity (paging the
potential buyer when preference met, col. 115, line 2-col. 116,
line 6);

21   reviewing messages prior to delivery for regulatory
compliance (licensing rules, col. 95, lines 4-12; paging the
potential buyer when preference met, compliance of ad provider,
col. 115, line 2-col. 116, line 6; sales/price data, Figs. 23-
24).

Any inquiry concerning this communication or earlier
communications from the examiner should be directed to David R.
Vincent whose telephone number is 571 272 3080. The examiner
can normally be reached on M-TH.

If attempts to reach the examiner by telephone are
unsuccessful, the examiner's supervisor, Sam Sough can be

09/687,892 or

reached on 571 272 6799. The fax phone number for the

organization where this application or proceeding is assigned is

703-872-9306.

Information regarding the status of an application may be

obtained from the Patent Application Information Retrieval

(PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through

Private PAIR only. For more information about the PAIR system,

see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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June 23, 2005

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